

**ASSEMBLY BILL**

**No. 2827**

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**Introduced by Assembly Member Sharon Runner**

February 22, 2008

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An act to amend Section 786 of the Penal Code, relating to property crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2827, as introduced, Sharon Runner. Property crimes: jurisdiction.

Existing law provides the jurisdiction for property crimes that are connected to more than one jurisdictional territory, as specified.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 786 of the Penal Code is amended to  
2 read:  
3 786. (a) When property taken in one jurisdictional territory  
4 by burglary, carjacking, robbery, theft, or embezzlement has been  
5 brought into another, or when property is received in one  
6 jurisdictional territory with the knowledge that it has been stolen  
7 or embezzled and the property was stolen or embezzled in another  
8 jurisdictional territory, the jurisdiction of the offense is in any  
9 competent court within either jurisdictional territory, or any  
10 contiguous jurisdictional territory if the arrest is made within the  
11 contiguous territory, the prosecution secures on the record the

1 defendant’s knowing, voluntary, and intelligent waiver of the right  
2 of vicinage, and the defendant is charged with one or more property  
3 crimes in the arresting territory.

4 (b) (1) The jurisdiction of a criminal action for unauthorized  
5 use of personal identifying information, as defined in Section 530.5  
6 ~~of the Penal Code~~, shall also include the county where the theft of  
7 the personal identifying information occurred, or the county where  
8 the information was used for an illegal purpose. If multiple offenses  
9 of unauthorized use of personal identifying information, all  
10 involving the same defendant or defendants and the same personal  
11 identifying information belonging to the one person, occur in  
12 multiple jurisdictions, any one of those jurisdictions is a proper  
13 jurisdiction for all of the offenses.

14 (2) When charges alleging multiple offenses of unauthorized  
15 use of personal identifying information occurring in multiple  
16 territorial jurisdictions are filed in one county pursuant to this  
17 section, the court shall hold a hearing to consider whether the  
18 matter should proceed in the county of filing, or whether one or  
19 more counts should be severed. The district attorney filing the  
20 complaint shall present evidence to the court that the district  
21 attorney in each county where any of the charges could have been  
22 filed has agreed that the matter should proceed in the county of  
23 filing. In determining whether all counts in the complaint should  
24 be joined in one county for prosecution, the court shall consider  
25 the location and complexity of the likely evidence, where the  
26 majority of the offenses occurred, the rights of the defendant and  
27 the people, and the convenience of, or hardship to, the victim and  
28 witnesses.

29 (c) This section shall not be interpreted to alter victims’ rights  
30 under Section 530.6.

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